



USE ON REVIEW REPORT

▶ **FILE #:** 1-C-22-UR **AGENDA ITEM #:** 20
POSTPONEMENT(S): 1/13/2022 **AGENDA DATE:** 2/10/2022
▶ **APPLICANT:** BENJAMIN C. MULLINS
OWNER(S): David Eubanks

TAX ID NUMBER: 0 MULTIPLE PARCELS [View map on KGIS](#)
JURISDICTION: County Commission District 6
STREET ADDRESS: Multiple parcels (see list filed with application)
▶ **LOCATION:** East side of Lovell Rd, north of High Meadow Dr and south of Bob Gray Rd
▶ **APPX. SIZE OF TRACT:** 7.77 acres
SECTOR PLAN: Northwest County
GROWTH POLICY PLAN: Planned Growth Area
ACCESSIBILITY: Access is via Lovell Road, a 5-lane minor arterial with a 58-ft pavement width inside a 95-ft right-of-way.
UTILITIES: Water Source: First Knox Utility District
Sewer Source: First Knox Utility District
WATERSHED: Hickory Creek

▶ **ZONING:** PC (Planned Commercial), RA (Low Density Residential), and TO (Technology Overlay)
▶ **EXISTING LAND USE:** Single family residences and vacant land
▶ **PROPOSED USE:** Self-storage facility

HISTORY OF ZONING: Rezoned from A (Agricultural) and RA (Low Density Residential) to OB (Office, Medical and Related Services) retaining the HP designation (Case # 11-F-04-RZ); rezoned from A, OB, RA, and RB (Low Density Residential), to PC in 2021 (Case # 8-A-21-RZ)

SURROUNDING LAND USE AND ZONING: North: Vacant land - A (Agricultural) / TO (Technology)
South: Vacant land - RA (Low Density Residential) / TO (Technology Overlay)
East: Vacant land and single family residences - RB (General Residential) / TO (Technology Overlay) and RA (Low Density Residential) / TO (Technology Overlay)
West: Car repair facility and office building - PC (Planned Commercial) / TO (Technology Overlay) and CA (General Business) / TO (Technology Overlay)

NEIGHBORHOOD CONTEXT: This area of Lovell Road is within a half-mile of Pellissippi Parkway and is part of the Tennessee Technology Corridor area. It is a mix of single-family and multi-family neighborhoods, and some office and commercial uses along Lovell Road.

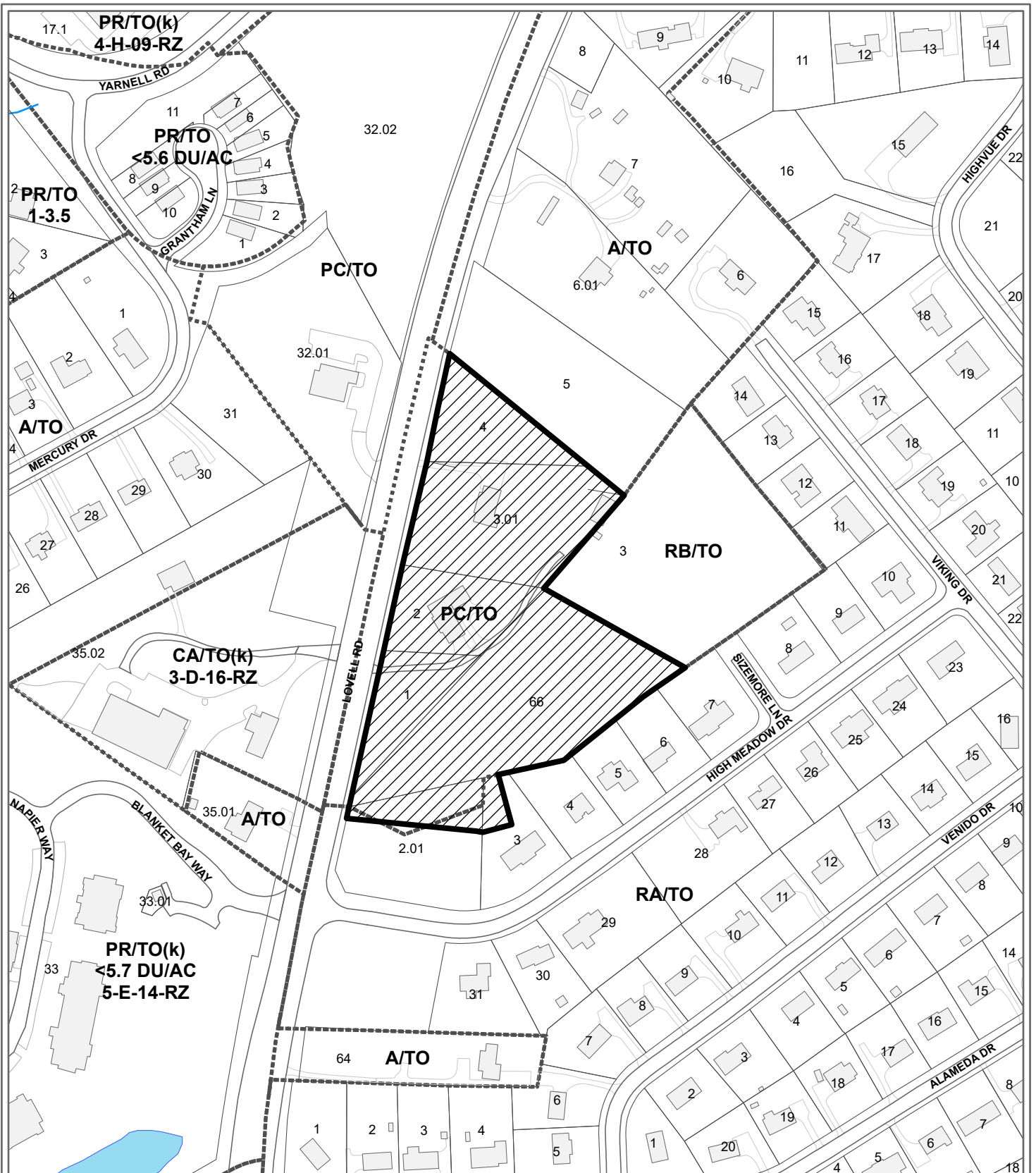
STAFF RECOMMENDATION:

- ▶ **Postpone this request for 30 days to the March 10, 2022 Planning Commission meeting to give the applicant more time to work on development plans.**

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**1-C-22-UR
USE ON REVIEW**

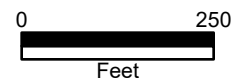


Self-storage facility in PC (Planned Commercial), RA (Low Density Residential), TO (Technology Overlay), and HP (Hillside Protection)

Petitioner: Mullins, Benjamin C.

Map No: 0

Jurisdiction: County



Original Print Date: 12/2/2021

Revised:

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



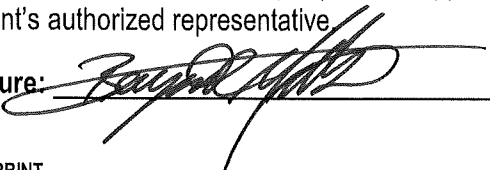
Request to Postpone • Table • Withdraw

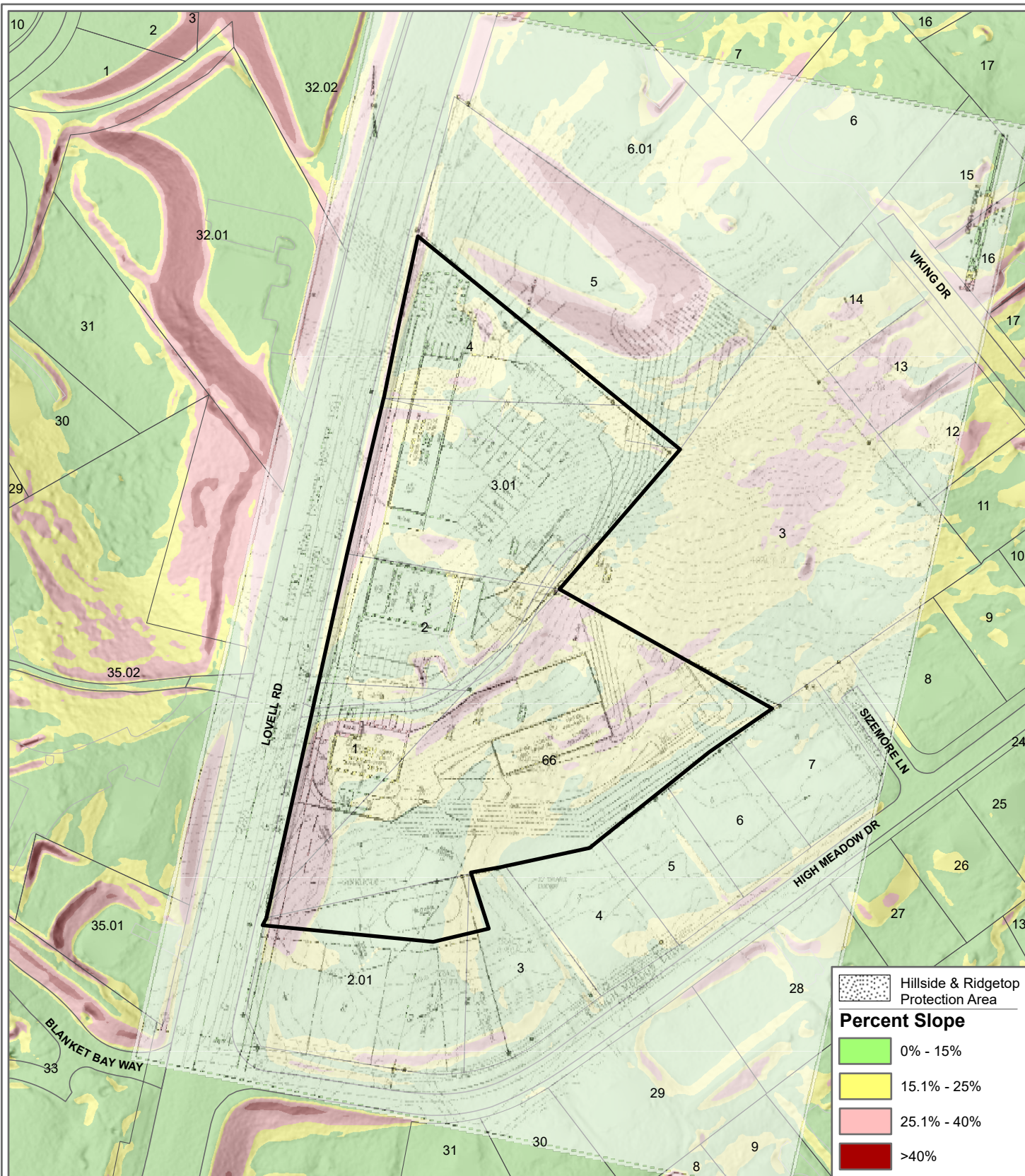
Name of Applicant: Benjamin C. Mullins
AS IT APPEARS ON THE CURRENT PLANNING COMMISSION AGENDA

Original File Number(s): 1-C-22-UR

Date Scheduled for Planning Review: February 10, 2022

Date Request Filed: 02/03/2022 Request Accepted by: _____

<p style="text-align: center;">REQUEST</p> <p><input checked="" type="checkbox"/> Postpone Please postpone the above application(s) until: <u>March 10, 2022</u> <small>DATE OF FUTURE PUBLIC MEETING</small></p> <p><input type="checkbox"/> Table Please table the above application(s).</p> <p><input type="checkbox"/> Withdraw Please withdraw the above application(s).</p> <hr/> <p>State reason for request: Continue to work with Planning Staff and neighbors regarding development and guidelines in the Technology Overlay Corridor.</p> <hr/> <p>Eligible for Fee Refund? <input type="checkbox"/> Yes <input type="checkbox"/> No Amount: _____ Approved by: _____ Date: _____</p> <hr/> <p style="text-align: center;">APPLICATION AUTHORIZATION</p> <p>I hereby certify that I am the property owner, applicant, or applicant's authorized representative</p> <p>Signature: <u></u></p> <p><small>PLEASE PRINT</small> Name: <u>Benjamin C. Mullins, Esq.</u> Address: <u>550 W. Main Street, Suite 500</u> City: <u>Knoxville</u> State: <u>TN</u> Zip: <u>37902</u> Telephone: <u>(865) 546-9321</u> Fax: <u>(865) 637-5249</u> E-mail: <u>bmullins@fmsllp.com</u></p>	<p style="text-align: center;">PLEASE NOTE</p> <p>Consistent with the guidelines set forth in Planning's <i>Administrative Rules and Procedures</i>:</p> <p>POSTPONEMENTS Any first time (new) Planning application is eligible for one automatic postponement. This request is for 30 days only and does not require Planning approval if received no later than 3:30 p.m. on the Friday prior to the Planning Commission meeting. All other postponement requests must be acted upon by Planning before they can be officially postponed to a future public meeting.</p> <p>TABLINGS Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled.</p> <p>WITHDRAWALS Any item is eligible for automatic withdrawal. A request for withdrawal must be received no later than 3:30p.m. on the Friday prior to the Planning Commission meeting. Withdrawal requests that do not meet these guidelines must be acted upon by Planning Commission before they can be officially withdrawn.</p> <p>Any new item withdrawn may be eligible for a fee refund according to the following: Application withdrawal with fee refund will be permitted only if a written request is received prior to public notice. This request must be approved by either the Executive Director, or the Planning Services Manager. Applications may be withdrawn after this time, but without fee refund.</p>
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1-C-22-UR/1-A-22-TOB

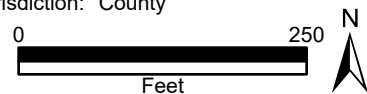
Petitioner: Mullins, Benjamin C.

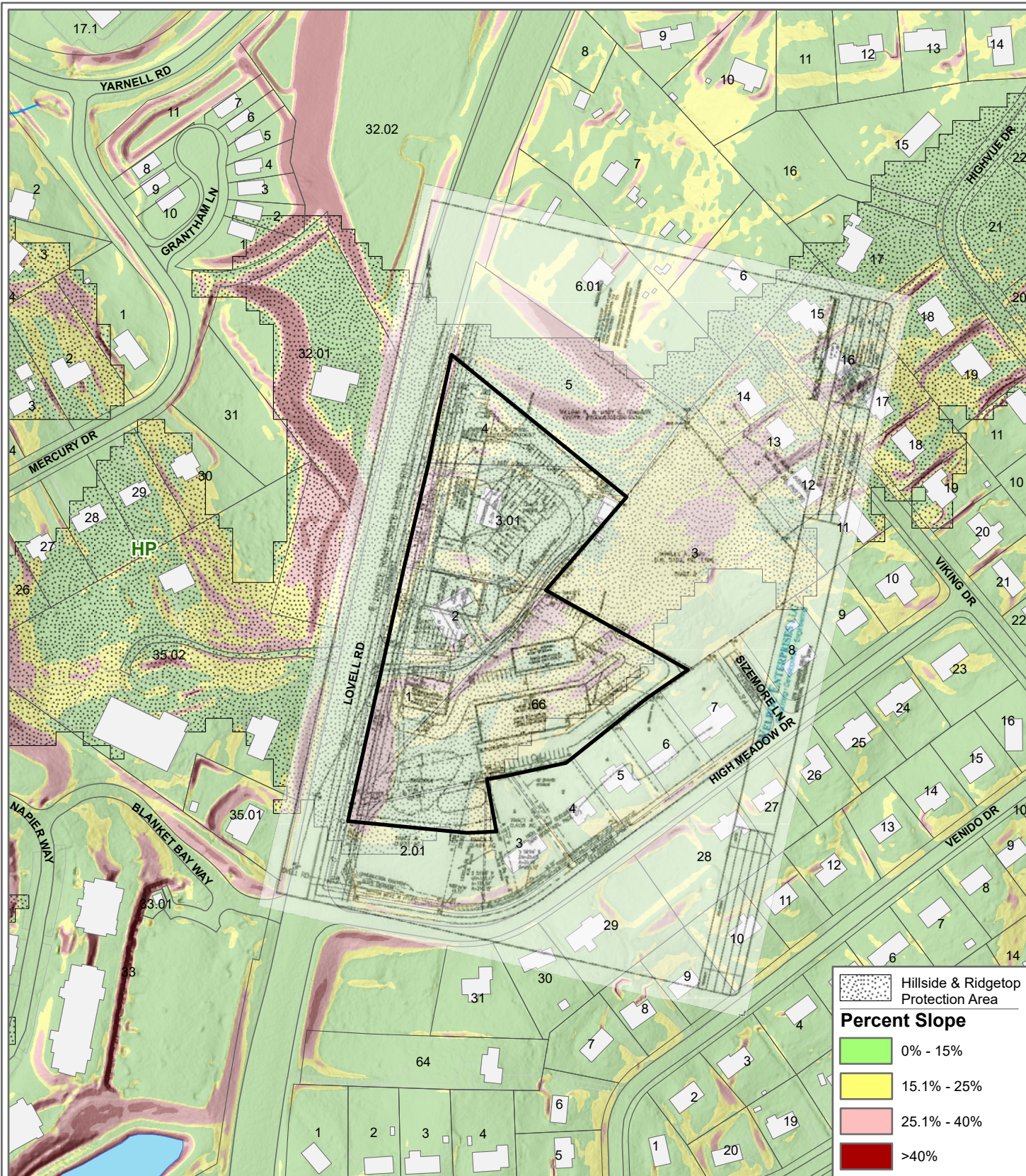


From: PC (Planned Commercial), RA (Low Density Residential), TO (Technology Overlay), and HP (Hillside Protection)
 To:

Map No: 0
 Jurisdiction: County

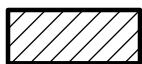
Original Print Date: 12/22/2021 Revised:
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**1-C-22-UR/1-A-22-TOB
SLOPE ANALYSIS**

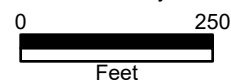
From: PC (Planned Commercial) / TO (Technology Overlay) & HP (Hillside Protection) & RA (Low Density Residential) / TO
To:

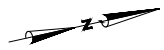
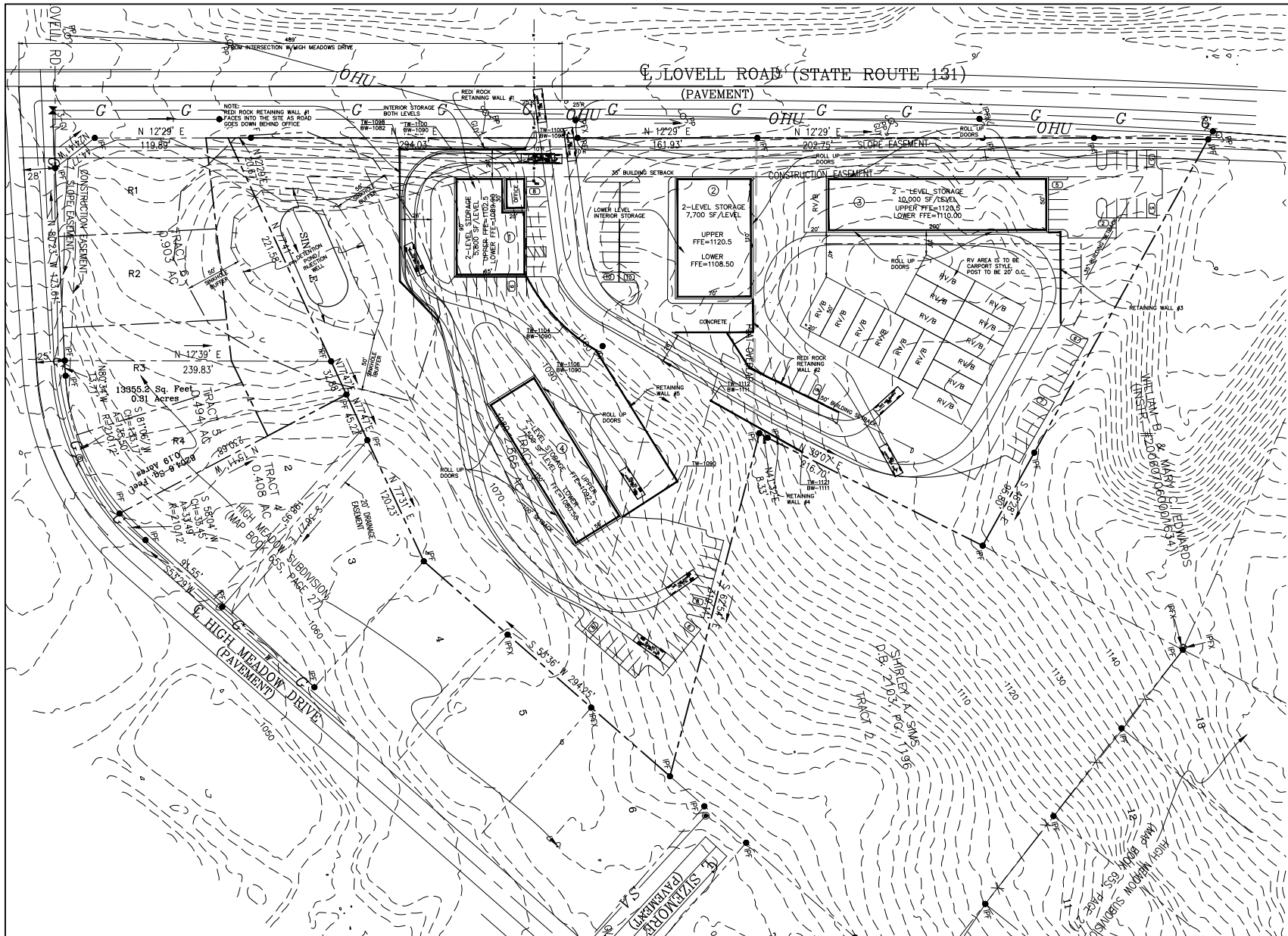


Original Print Date: 12/6/2021 Revised:
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Petitioner: Mullins, Benjamin C.

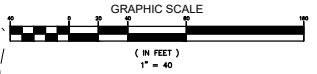
Map No: 0
Jurisdiction: County





GENERAL NOTES

- TOTAL GAC 31,000 SF
- TOTAL SF OF BUILDINGS 62,000 SF
- TOTAL PARKING REQUIRED 118
- TOTAL PROVIDED 127
- SETBACK VARIANCE 50' OFF RESIDENTIAL
- 35' FRONT SETBACK ON LOVELL ROAD
- 30' OF LOADING ACCESS @ OUTSIDE DOORS
- DISTURBED AREA = 308,478 SF



NUMBER	REVISION	DATE

WELROC ENTERPRISES LLC
Consulting • Development • Engineering

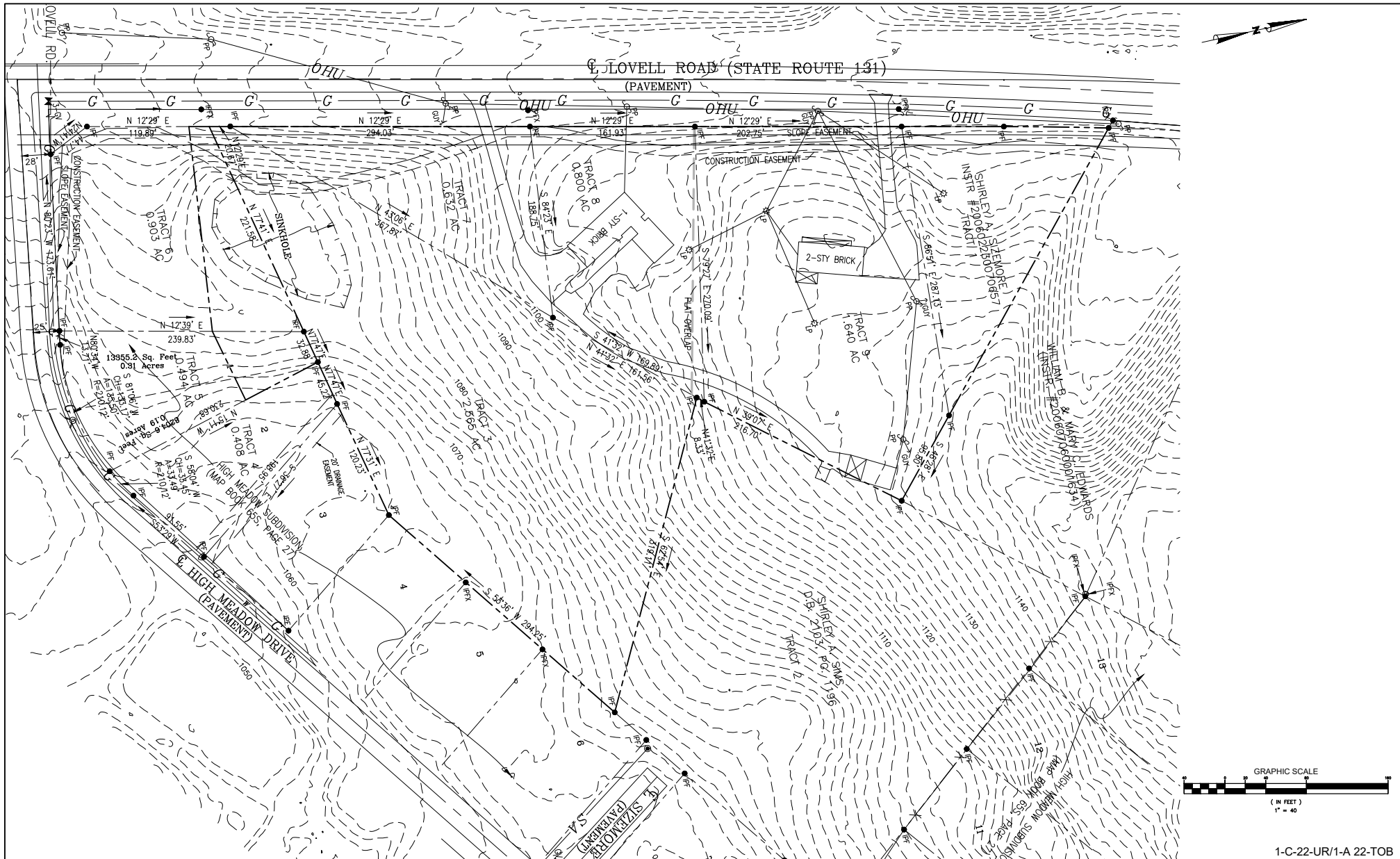
376 LOCHMERE DRIVE
MORRISTOWN, TENNESSEE, 37814

SITE LAYOUT PLAN	
1-A 22-TOB-STORAGE LOVELL ROAD	
KNOXVILLE, TENNESSEE	



SCALE:	1"=40'
DATE:	1/12/22
DRAWN BY:	SH
CHECKED BY:	RC
SHEET:	1 OF 4

1-C-22-UR/1-A 22-TOB



NUMBER:	REVISION:	DATE:

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EXISTING CONDITIONS
1-A 22-TOB-STORAGE LOVELL ROAD
KNOXVILLE, TENNESSEE

1-C-22-UR/1-A 22-TOB


SCALE: 1"=40'

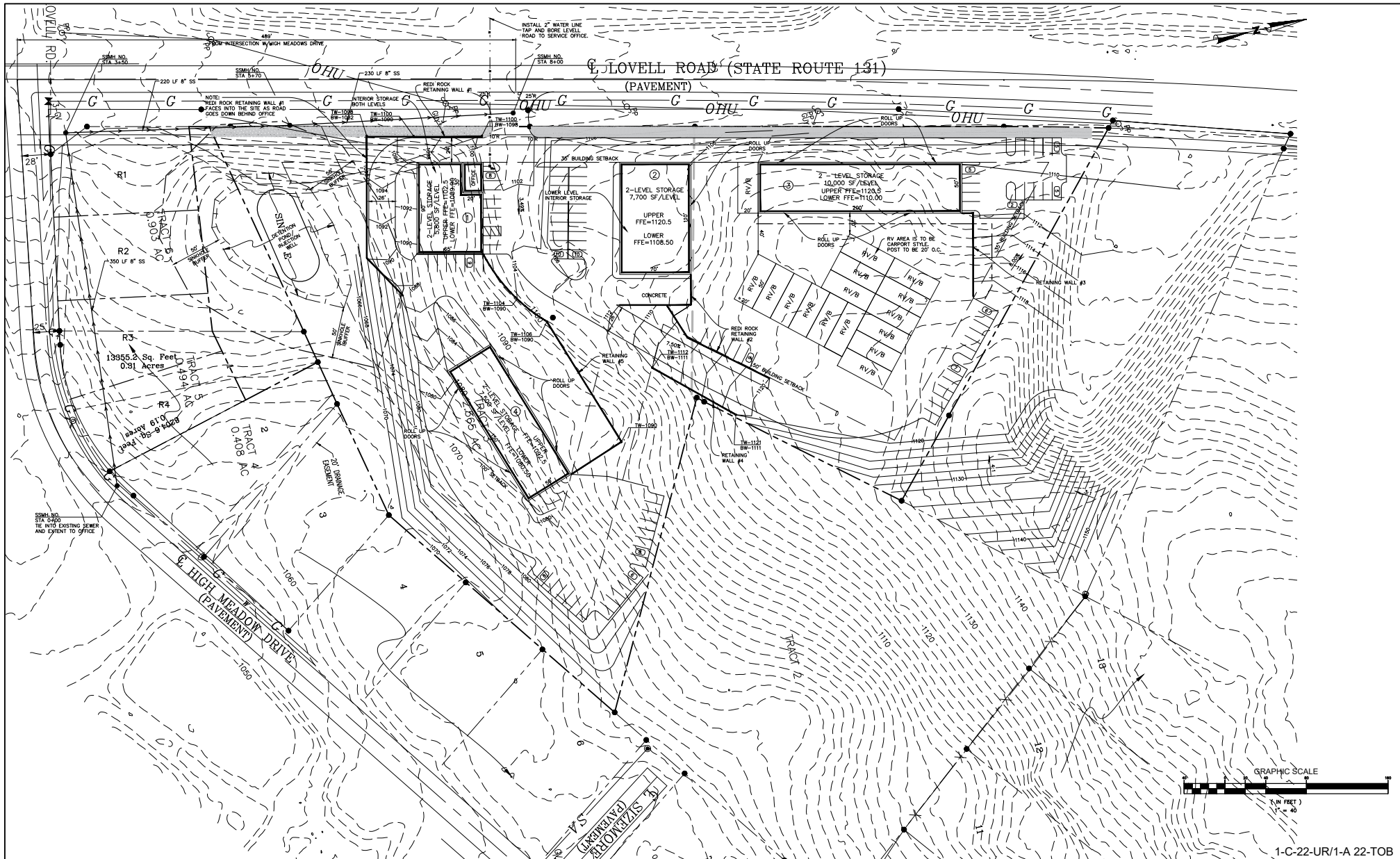
DATE: 1/12/22

DRAWN BY: SH

CHECKED BY: RC

SHEET: 2 OF 4





NUMBER:	REVISION:	DATE:

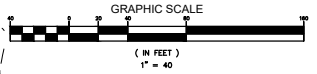
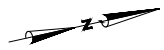
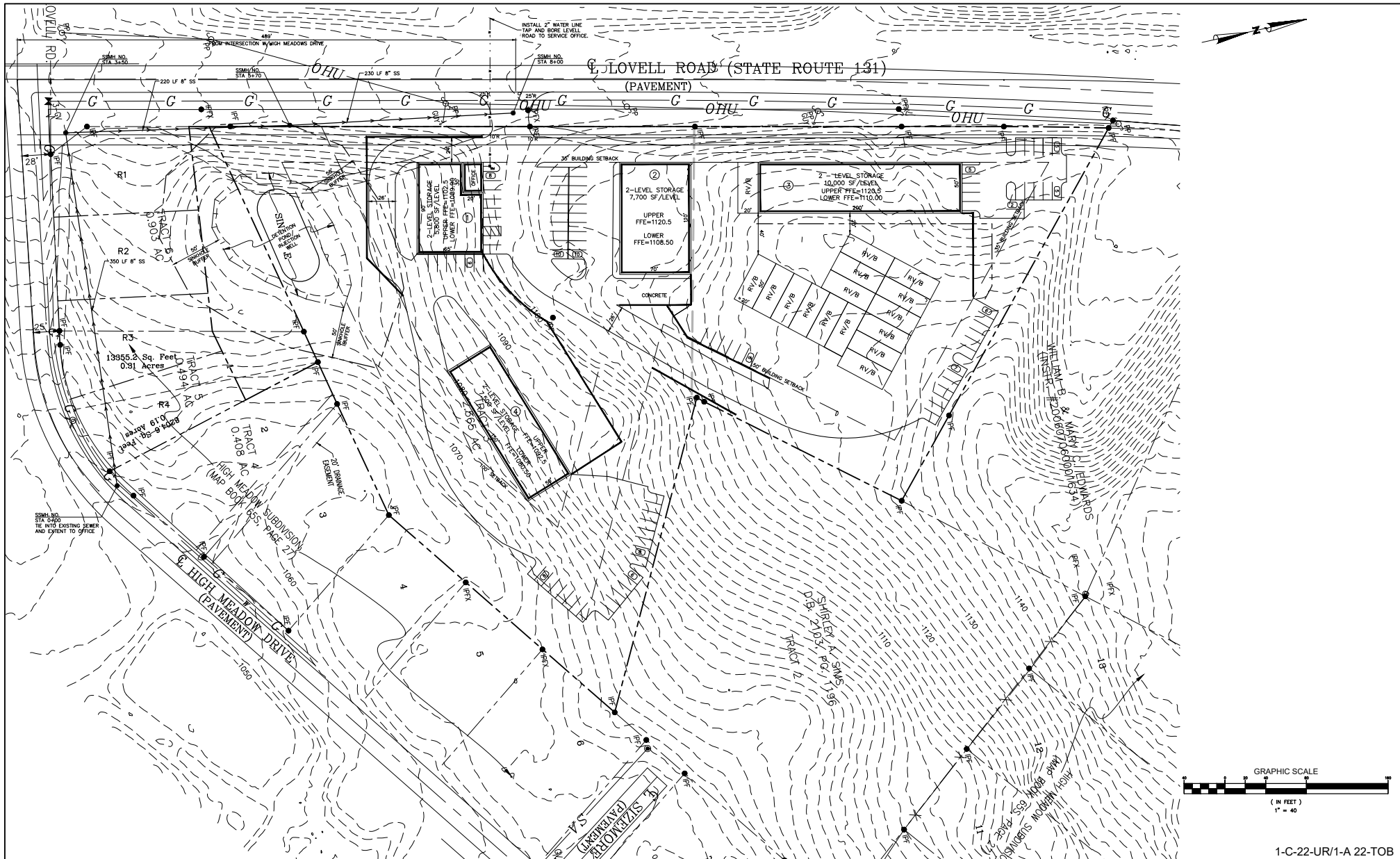
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SITE GRADING PLAN	
1-A 22-TOB-STORAGE LOVELL ROAD	
KNOXVILLE, TENNESSEE	



1-C-22-UR/1-A 22-TOB	
SCALE:	1"=40'
DATE:	1/12/22
DRAWN BY:	SH
CHECKED BY:	RC
SHEET:	3 OF 4



NUMBER:	REVISION:	DATE:

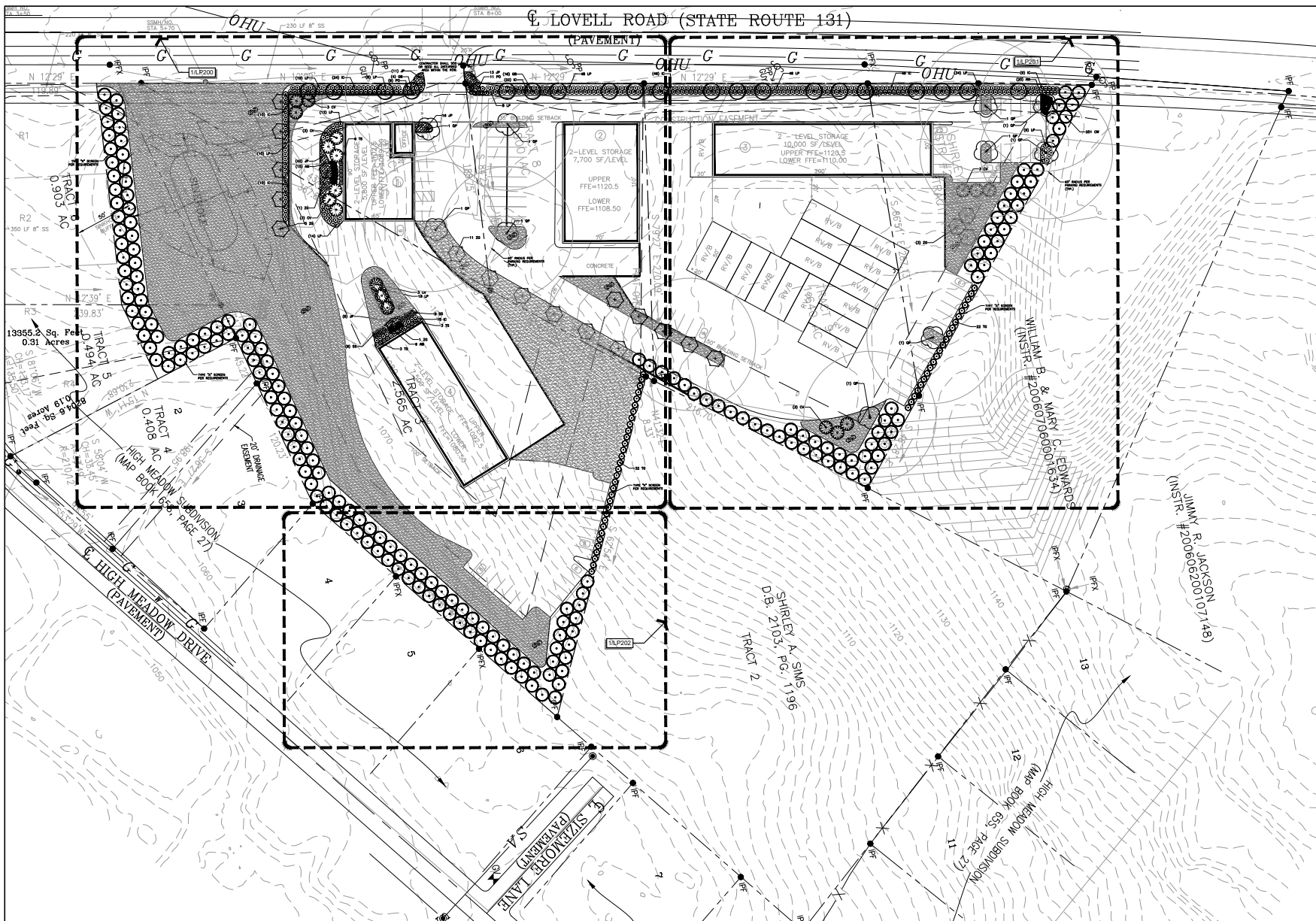
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376 LOCHMERE DRIVE
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SITE UTILITY PLAN	
1-A 22-TOB-STORAGE LOVELL ROAD	
KNOXVILLE, TENNESSEE	



1-C-22-UR/1-A 22-TOB	
SCALE:	1"=40'
DATE:	1/12/22
DRAWN BY:	SH
CHECKED BY:	RC
SHEET:	4 OF 4



1 OVERALL PLANTING PLAN
Scale: 1" = 10'



NOT
FOR CONSTRUCTION
THESE PLANS HAVE NOT BEEN
APPROVED AND ARE SUBJECT
TO CHANGE.

A Landscape Development Plan for
Lovell Road Self Storage
Hardin Valley, Tennessee

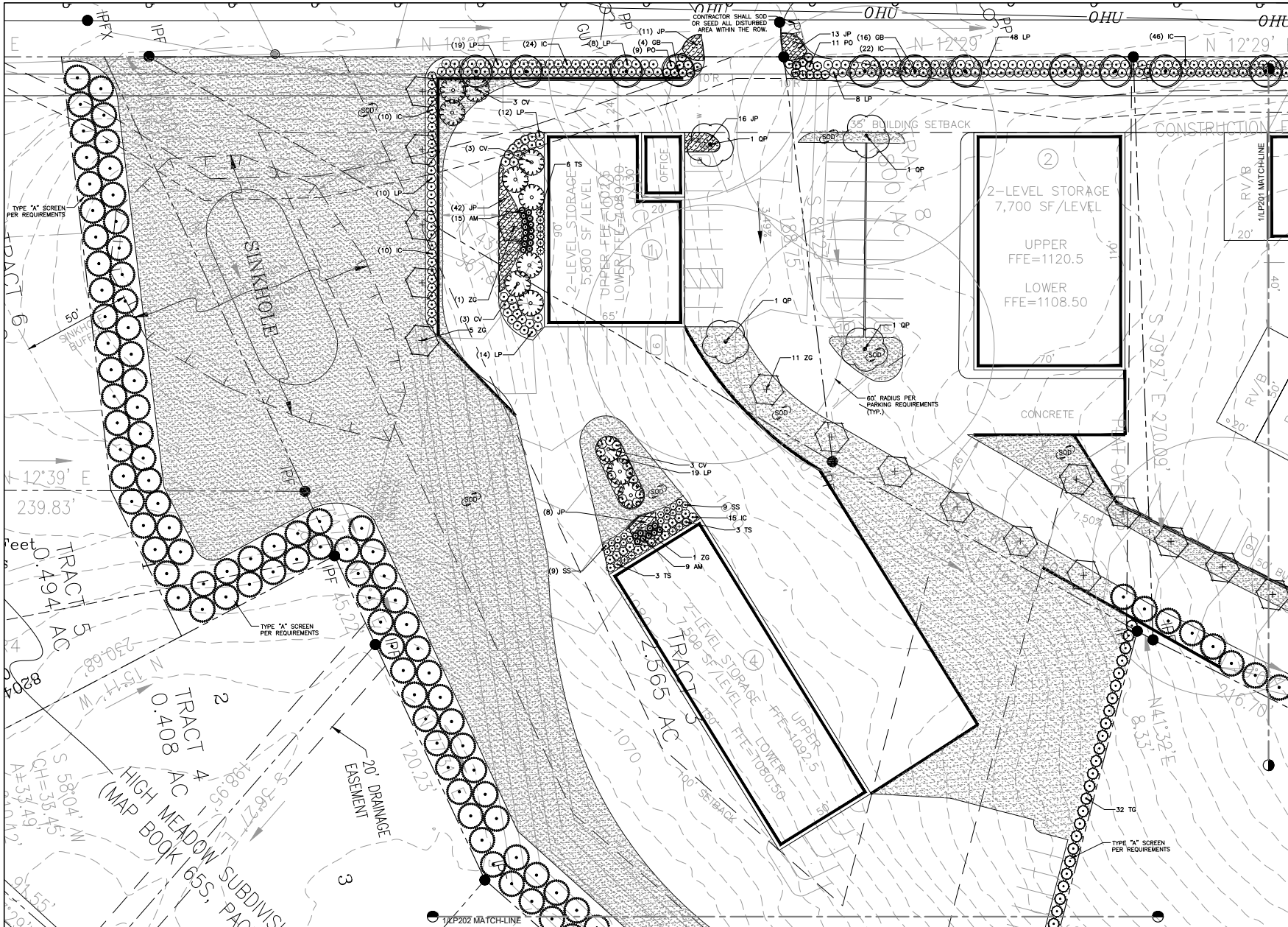
Revisions	No.	Date	Revisions / Submissions
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JS Drawn	
JS Project Manager	
LCW Principal	
212031-009 Project No.	
12.10.21 Date	

Sheet Title

**OVERALL
LANDSCAPE PLAN**



1 PLANTING PLAN ENLARGEMENT
Scale: 1" = 10'



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placement

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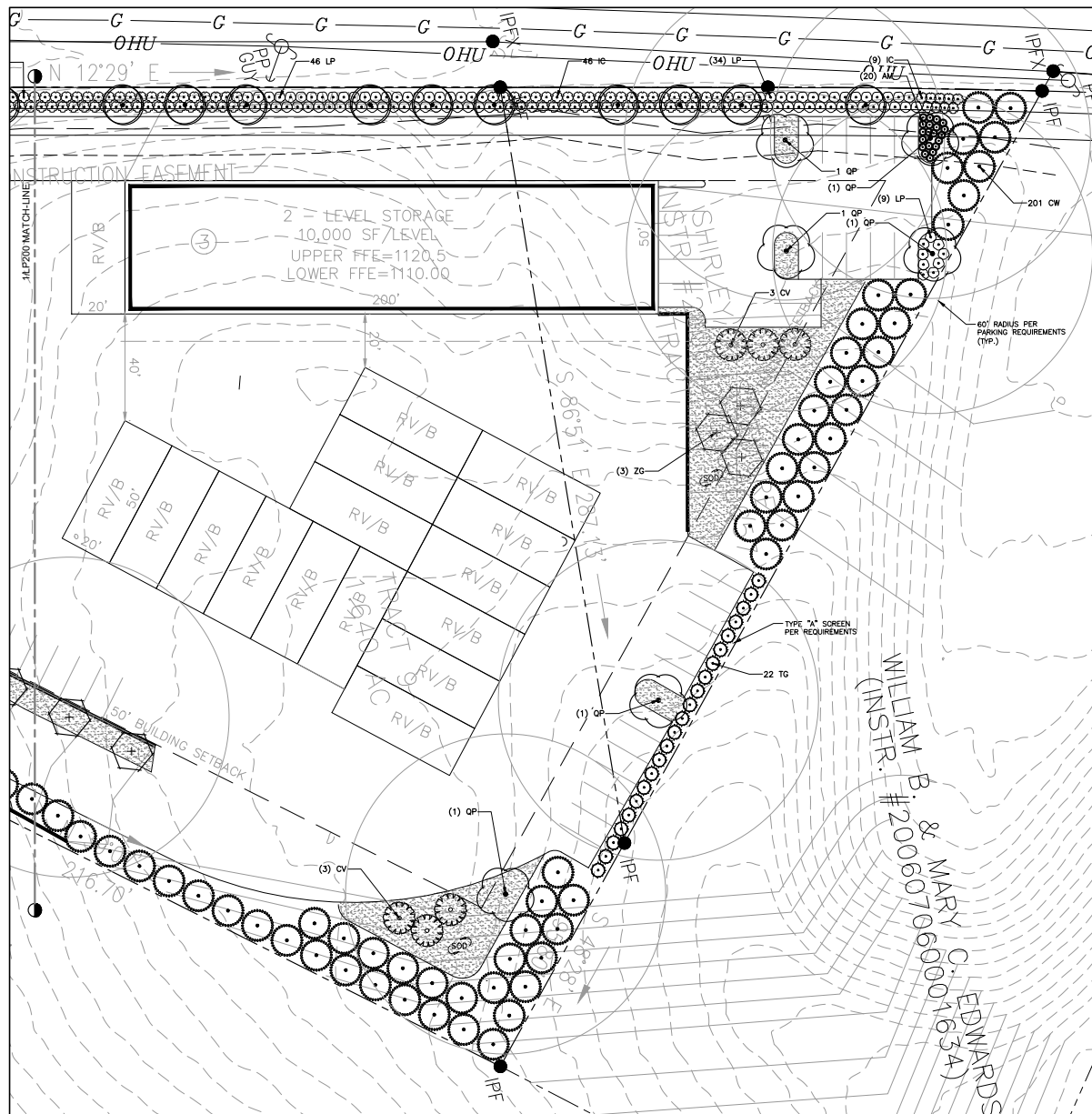
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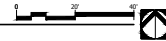
Drawn JS	Registration
Project Manager LCW	
Principal 212031-009	
Project No. 12.10.21	
Date	

**PLANTING PLAN
ENLARGEMENT**

Sheet No.
LP200



1 PLANTING PLAN ENLARGEMENT
Scale: 1" = 20'



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A Landscape Development Plan for
Lovell Road Self Storage
Hardin Valley, Tennessee

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Registration
 2021
 ECW-1 Manager
 2326031-009
 10440/01
 Date

Sheet Title

**PLANTING PLAN
ENLARGEMENT**

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A Landscape Development Plan for
Lovell Road Self Storage
Harbin Valley, Tennessee

Revisions	
No.	Date
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20mm Registration

ESD-1 Manager

2326031-009

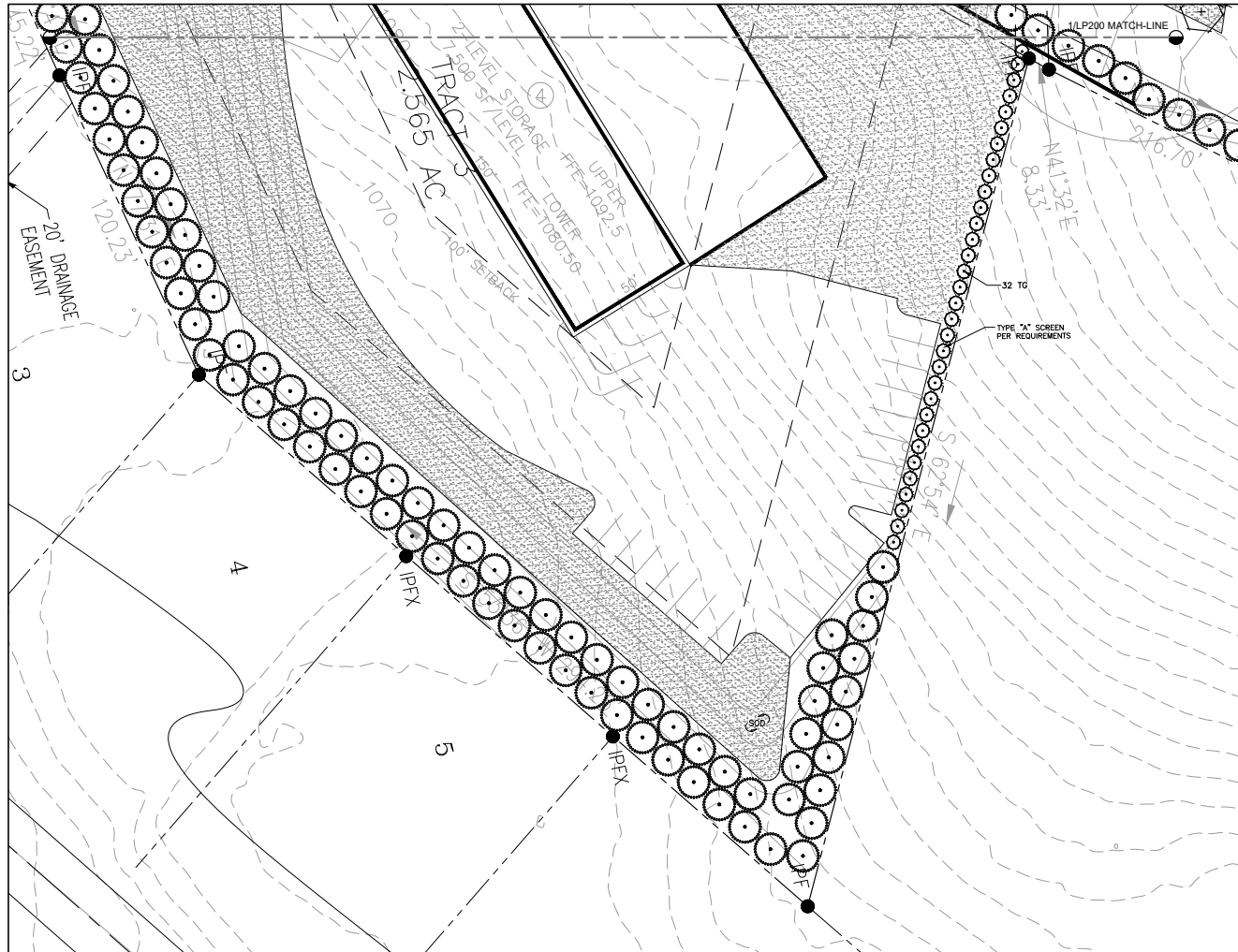
10/4/2021

Date

Sheet Title

**PLANTING PLAN
ENLARGEMENT**

Sheet No.
LP202



1 PLANTING PLAN ENLARGEMENT
Scale: 1" = 20'



PLANT SCHEDULE									
TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CAL.	HT.		
CV	18		CHIONANTHUS VIRGINICUS FULL FORM AND SPECIMAN QUALITY	WHITE FRINGETREE	B&B OR CONT.		6'		
CW	201		MAGNOLIA GRANDIFLORA 'CLAUDIA WANNAMAKER' FULL TO GROUND	CLAUDIA W. MAGNOLIA	B&B OR CONT.		8'		
GB	20		MALE GINKGO BILOBA SINGLE STRAIGHT TRUNK AND SPECIMAN QUALITY.	MAIDENHAIR TREE	45 GAL. OR B&B				
QP	10		QUERCUS PHELLOS SPECIMAN QUALITY	WILLOW OAK	B&B OR CONT.	2" CAL.	10-12'	HT	
TG	54		THUJA STANDISHII X PLICATA 'GREEN GIANT'	GREEN GIANT ARBORVITAE	15 GAL.		8'		
ZG	21		ZELKOVA SERRATA 'GREEN VASE' SINGLE STRAIGHT TRUNK, SPECIMAN QUALITY AND FULL FORM	GREEN VASE SAWLEAF ZELKOVA	B&B OR CONT.				
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT.	HT.	W.	SPACING	
IC	183		ILEX CORNUTA 'CARISSA' FULL FORM	CARISSA CHINESE HOLLY	3 GAL.			48" o.c.	
SS	18		ITEA VIRGINICA 'HENRY'S GARNET' FULL FORM	HENRY'S GARNET SWEETSPIRE	3 GAL.			36" o.c.	
LP	227		LOROPETALUM CHINENSIS 'PURPLE DIAMOND' FULL FORM	PURPLE DIAMOND LOROPETALUM	3 GAL.			48" o.c.	
AM	44		MISCANTHUS SINENSIS 'ADAGIO' FULL FORM	ADAGIO MISCANTHUS	3 GAL.			36" o.c.	
PO	20		PRUNUS LAUROCERASUS 'OTTO LUYKEN' FULL FORM	LUYKENS LAUREL	3 GAL.			48" o.c.	
TS	12		THUJA OCCIDENTALIS 'SMARAGD' FULL FORM AND SPECIMAN QUALITY	EMERALD GREEN ARBORVITAE	7 GAL.			48" o.c.	
SHRUB AREAS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT.	HT.	W.	SPACING	
JP	90		JUNIPERUS CHINENSIS 'PARSONI' FULL FORM	PARSONI JUNIPER	3 GAL.			36" o.c.	
SOD/SEED	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT.	HT.			
SOD	70,480 SF		CYNDOON DACTYLON 'TIFWAY 419'	TIFWAY 419 BERMUDA GRASS	SOD				

QUANTITY TAKEOFF DISCLAIMER:
 QUANTITIES NOTED ON PLANS ARE OFFERED AS A CONVENIENCE TO THE CONTRACTOR FOR BID PURPOSES ONLY. CONTRACTOR SHALL VERIFY ALL QUANTITIES AND REPORT ANY DISCREPANCIES TO THE LANDSCAPE ARCHITECT.

Know County Landscape Requirements

SITE INFORMATION:

TOTAL SITE AREA:

289,763.5F or 6.65 AC

Parking Spaces: 95 Spaces

Site Requirements:

10 Large Trees per : AC of yard space

Total Yard Space: 175,064 SF or 7.87 AC

Large Trees Required: 29 Trees

Large Trees Proposed: 29 Trees

Parking Requirements:

5% of parking area shall be plant beds.

Total Parking Area: 9,352 SF

Required Plant Bed Area: 468 SF

Proposed Plant Bed Area: 7,583 SF

1 Large Tree per 10 Spaces

Parking Lot Trees Req.: 10 Trees

Proposed Parking Lot Trees: 10 Trees

25% of new trees shall be evergreen

Total Trees: 322 Trees

Total Evergreens: 255 Trees or 79%

Shall be approximately equal numbers of

Large, Small and Medium Trees

Total Large Trees: 30 Trees

Total Med. Trees: 2 Trees

Total Small Trees: 18 Trees

Building Requirements:

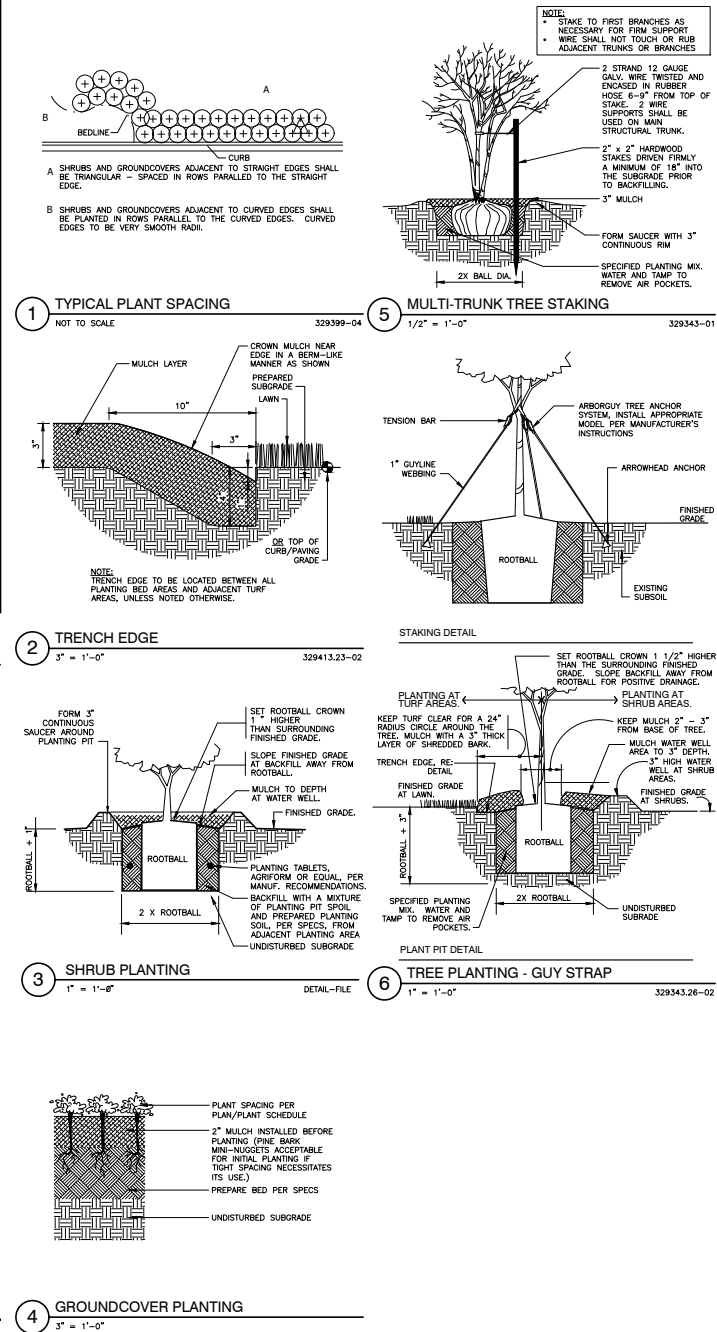
Total building elevation area: 70,753 SF

Plant bed area required: 10377 SF

Plant bed area total: 10851 SF

Parking plant bed area: 468 SF

Remaining area to count toward building requirement: 10385 SF

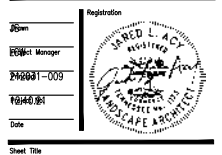


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A Landscape Development Plan for Lovell Road Self Storage
 Harlin Valley, Tennessee

No.	Date	Revisions / Submissions
	01.21.22	REVISED PER CITY COMMENTS

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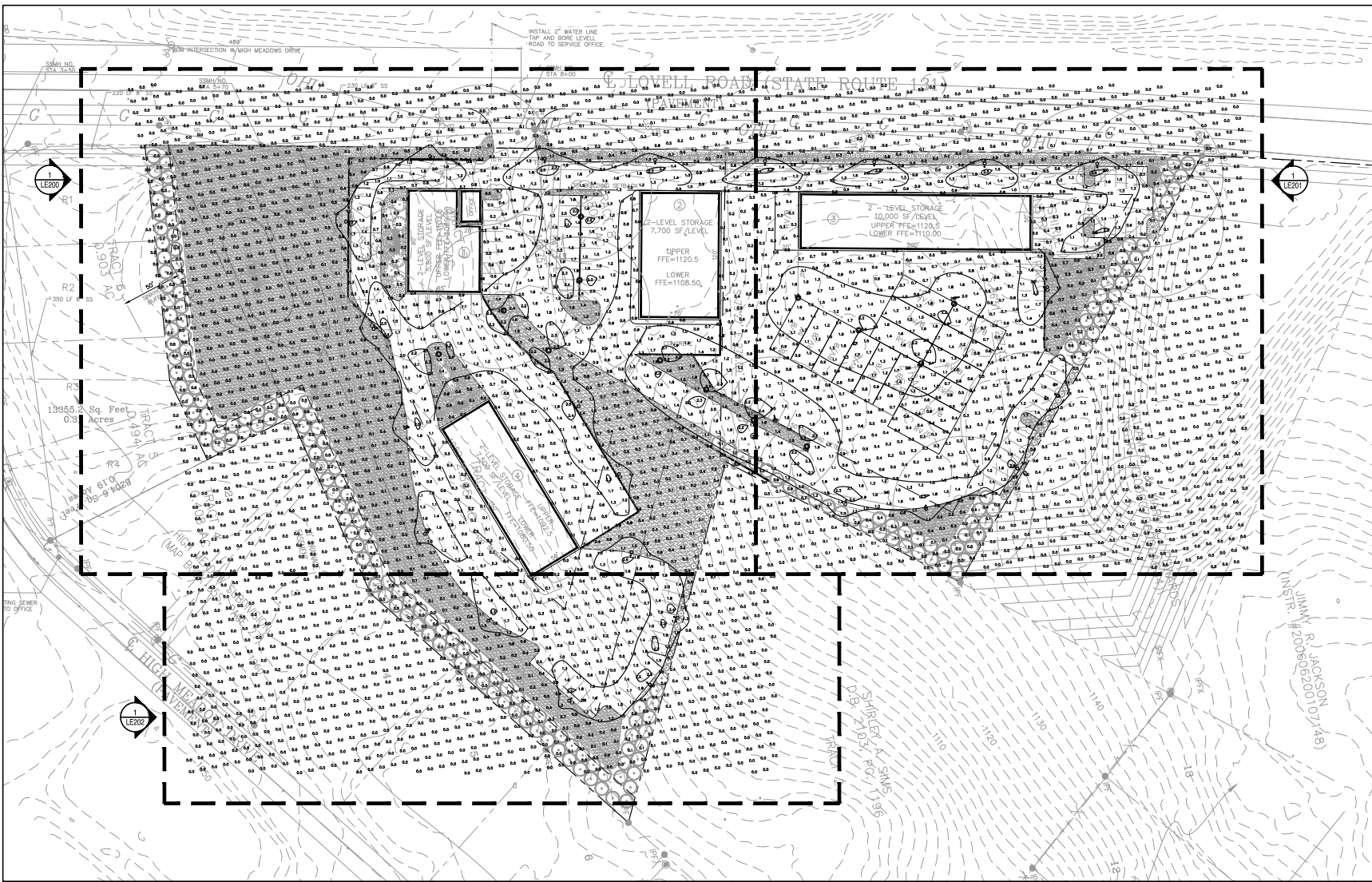
LANDSCAPE PLANTING DETAILS

Sheet No. **LP500**

LUMINAIRE SCHEDULE										
CALLOUT	SYMBOL	LAMP	DESCRIPTION	BALLAST	MOUNTING	MODEL	VOLTS	NOTE 3	QUANTITY	DEFAULT ELEVATION
P1	⊙*	(1)	LSO-M-T3-5L-3K-PTD-CLS	ELECTRONIC	POLE	Visionaire Lighting LLC	120V 1P 2W	Visionaire Lighting Photometric Laboratory, 08/28/2020, 06/17/20, 5058, 120 VAC, 52W, 81-U-5-02	24	20'
P2	⊙	(1)	LSO-M-T5-10L-3K-PTD	ELECTRONIC	POLE	Visionaire Lighting LLC	120V 1P 2W	Visionaire Lighting Photometric Laboratory, 10/28/2020, 06/25/20, 8821, 120 VAC, 67.28W, 83-U-0-63	13	20'

STRUCTURAL ENGINEERING NOTE
 STRUCTURAL ENGINEERING DESIGN IS NEITHER EXPRESSED NOR IMPLIED IN THIS DRAWING. STRUCTURAL ENGINEERING DESIGN RESPONSIBILITY IS DELEGATED TO THE CONTRACTOR, AND SHALL BE DONE BY A PROFESSIONAL ENGINEER OR OTHER QUALIFIED PROFESSIONAL AS REQUIRED FOR CODE COMPLIANCE, PERMITTING, ETC.

LIGHTING NOTE:
 ALL LIGHT FIXTURES NEAR PROPERTY LINE TO HAVE CUTOFF LOUVER SHIELD TO MINIMIZE LIGHT SPILLAGE ONTO ADJACENT PROPERTIES.



1 SITE LIGHTING PLAN
 Scale: 1" = 40'




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A Landscape Development Plan for
Lovell Road Self Storage
 Harbin Valley, Tennessee

Revisions	
No.	Date
01.21.22	REVISED PER CITY COMMENTS

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BH Drawn	Registration
DCT Project Manager	
JA Principal	
212031-009 Project No.	
12.10.21 Date	
Sheet Title	

SITE LIGHTING PLAN

Sheet No. **LE100**



1 SITE LIGHTING PLAN ENLARGEMENT
Scale: 1" = 20'



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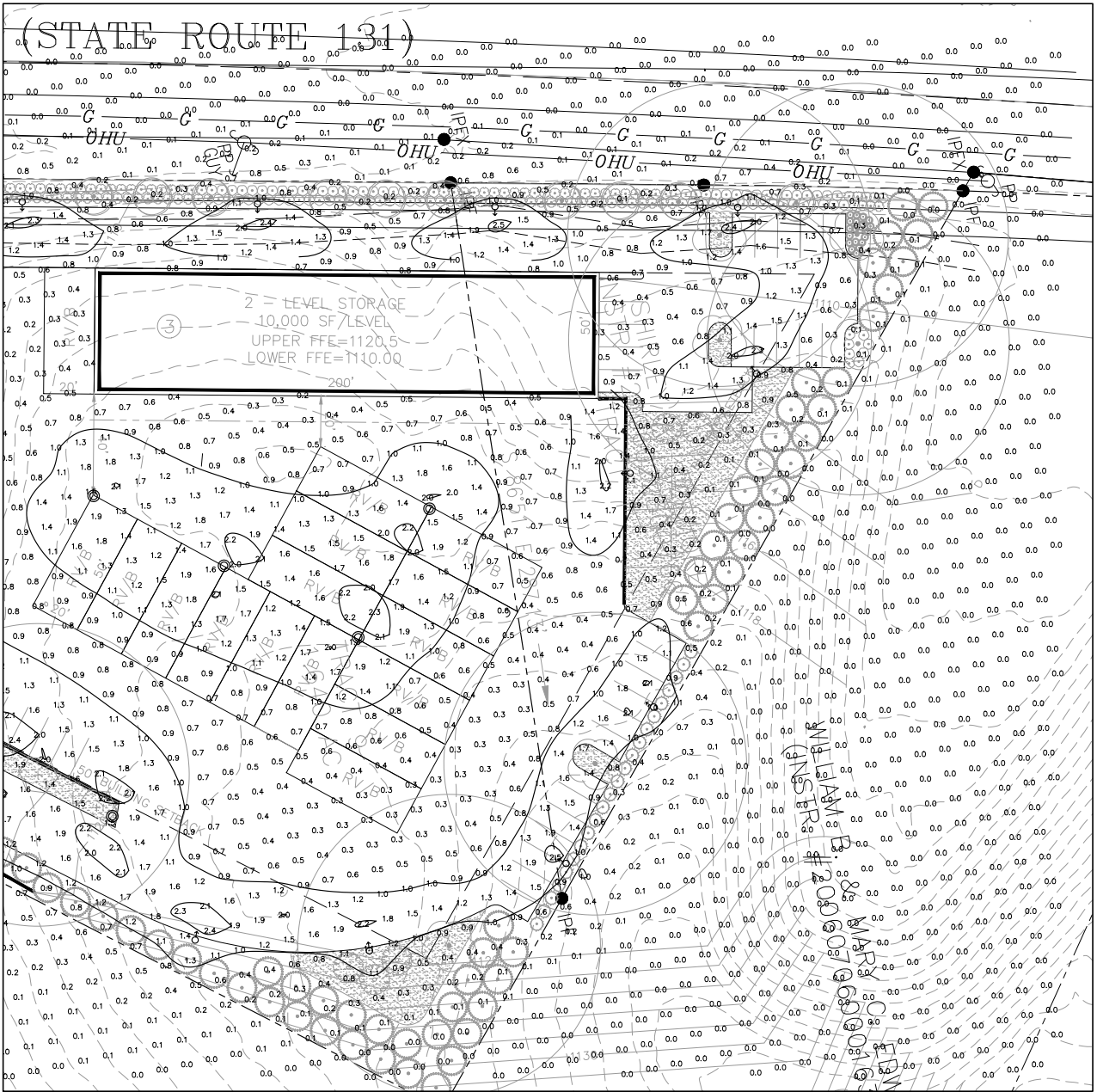
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BH Drawn DCT Project Manager JA Principal 212031-009 Project No. 12.10.21 Date	Registration
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**SITE LIGHTING PLAN
ENLARGEMENT**

Sheet No. **LE200**



1 SITE LIGHTING PLAN ENLARGEMENT
Scale: 1" = 20'

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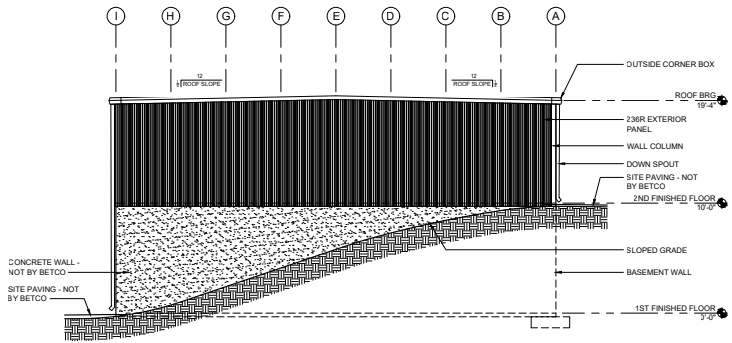
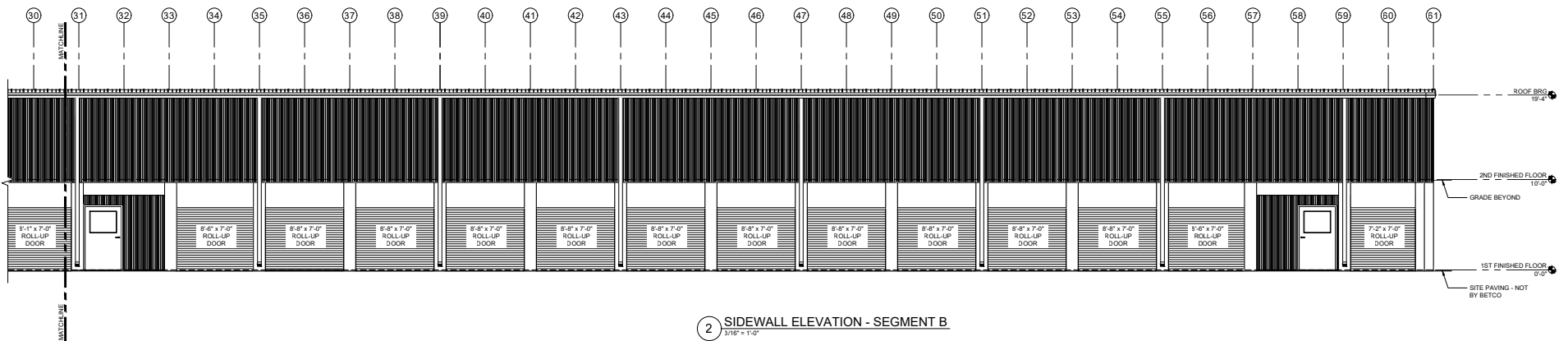
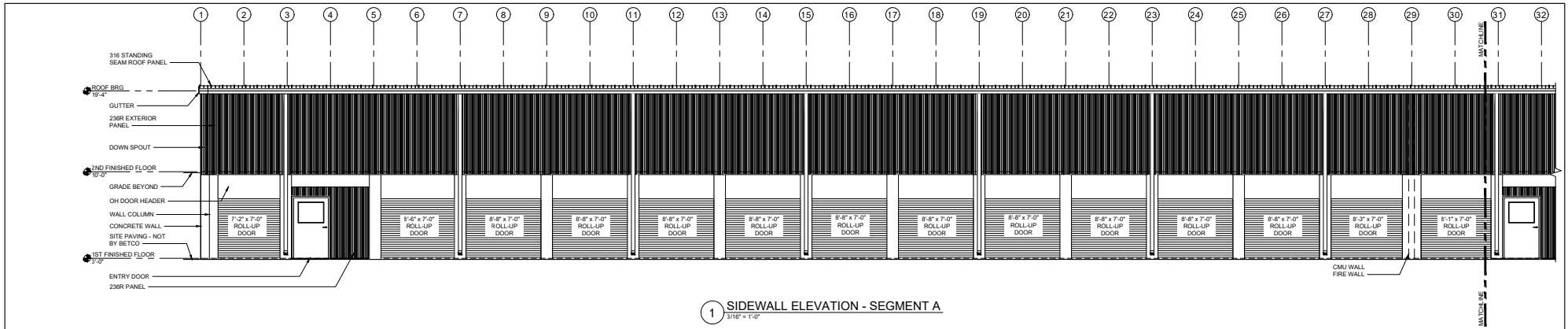
A Landscape Development Plan for
Lovell Road Self Storage
Harbin Valley, Tennessee

Revisions	No.	Date	Revisions / Submissions
	01.21.22		REVISED PER CITY COMMENTS

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BH Draw DCT Project Manager JA Principal 212031-009 Project No. 12.10.21 Date	Registration
--	------------------

**SITE LIGHTING PLAN
ENLARGEMENT**



**NOT FOR
CONSTRUCTION**

DATE	04/28/2021
DRAWN BY	AK
SCALE	AS NOTED
APPROVED BY	
REVISIONS	
DATE	BY

BETCO
 228 COMMERCE BLVD.
 STATESVILLE, NC 28625
 (800)654-7813



400 Main Street
Suite 403
Knoxville, TN 37902
P: 865.215.2507
F: 865.215.2237

Addressing Department Review and Comments

File #: 1-C-22-UR
Tax Parcel ID: 118 066 et al
Subdivision: N/A
Owner: David Eubanks
Applicant: Benjamin C Mullins
Company: Frantz, McConnell & Seymour
Email: bmullins@fmsllp.com

Date Submitted: 11/29/21
Review Type: UR
Unit or Phase:
Phone: 865.363.9323
Office: 865.546.9321
Cell:
Fax:

Visit our website: <http://www.knoxplanning.org/addressing> for a list of existing and available street names.

All subdivision and street names must conform to the Knoxville/Knox County Street Uniform Naming and Addressing Ordinance, Subdivision Regulations and the Administrative Rules of the Planning Commission.

Proposed and/or Existing Subdivision or Street Names	Results of Review, Corrections, and Comments (date subdivision or street name reserved)	Approved, Pending, Denied, Revise, Note
	If use is approved by Planning Commission, a new address will be assigned for the storage facility.	Note
	Each building will receive separate address for permitting.	Note
	Unresolved addressing issues may delay building permits.	Note
	Approved site plan required for addressing purposes.	Note
	Applicable addressing fee will apply to 5 or more address assignments.	Note
	Contact the Post Office to establish mail service at 865.925.0155	Note

Comments may be modified based on new information from updated plans, field reviews or other agencies.

Andrea Kupfer (865.215.3797) andrea.kupfer@knoxplanning.org	1st Review	Donna Hill (865.215.3872) donna.hill@knoxplanning.org	2nd Review
	12/6/2021		Dec 30, 2021



Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - SP
 - OYP
- Rezoning

Benjamin C. Mullins

Applicant

Applicant Name

Affiliation

November 29, 2021

January 13, 2022

File Number(s)

Date Filed

Meeting Date (if applicable)

1-C-22-UR

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Property Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

Benjamin C. Mullins

Frantz, McConnell & Seymour, LLP

Name

Company

550 West Main Street

Knoxville

TN

37902

Address

City

State

ZIP

865-546-9321

bmullins@fmsllp.com

Phone

Email

CURRENT PROPERTY INFO

David Eubanks

1049 Bird RD. Lenoir City, TN 37771

865-363-9323

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

Multiple Parcels (see attached info sheet)

Multiple Parcels (see attached info sheet)

Property Address

Parcel ID

FUD

FUD

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

North of High Meadow Dr., East of Lovell Rd., South of Bob Gray Rd.

+/- 7.77 acres

General Location

Tract Size

6

PC/TO & HP; RA/TO & HP

Agriculture/forestry/Vacant

City County

District

Zoning District

Existing Land Use

Northwest County

MU-SD NWCO-4

Planned Growth

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

November 22, 2021

DEVELOPMENT REQUEST

- Development Plan
 Use on Review / Special Use
 Hillside Protection COA
 Residential
 Non-Residential

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) Self-storage and residential

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name _____

Unit / Phase Number
 Combine Parcels
 Divide Parcel

Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

Zoning Change
 Proposed Zoning _____

Plan Amendment Change
 Proposed Plan Designation(s) _____

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

Other (specify) _____

STAFF USE ONLY

PLAT TYPE

- Staff Review
 Planning Commission

ATTACHMENTS

- Property Owners / Option Holders
 Variance Request

ADDITIONAL REQUIREMENTS

- Design Plan Certification (*Final Plat*)
 Use on Review / Special Use (*Concept Plan*)
 Traffic Impact Study
 COA Checklist (*Hillside Protection*)

Fee 1	Total
0401 1500.00	
Fee 2	
Fee 3	
	\$1500.00

AUTHORIZATION



Applicant Signature

865-546-9321

Phone Number

Benjamin C. Mullins

Please Print

bmullins@fmsllp.com

Email

11-29-2021

Date

- see next page -

Property Owner Signature

David Eubanks

Please Print

11-29-2021

Date

11/29/2021 MMP sum

DEVELOPMENT REQUEST

- Development Plan Use on Review / Special Use Hillside Protection COA
 Residential Non-Residential

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number _____

- Combine Parcels Divide Parcel

Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

Zoning Change

Proposed Zoning _____

Plan Amendment Change

Proposed Plan Designation(s) _____

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

Other (specify) _____

Pending Plat File Number

STAFF USE ONLY

PLAT TYPE

- Staff Review Planning Commission

ATTACHMENTS

- Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- Design Plan Certification (*Final Plat*)
 Use on Review / Special Use (*Concept Plan*)
 Traffic Impact Study
 COA Checklist (*Hillside Protection*)

Fee 1

Total

Fee 2

Fee 3

AUTHORIZATION

Larry D. Eubanks
Applicant Signature

Larry D. Eubanks
Please Print

Date

865-693-9323

Phone Number

Email

Larry D. Eubanks
Property Owner Signature

Please Print

Date

Benjamin C. Mullins Use on Review and TTCD Application
CURRENT PROPERTY INFO – SUPPLEMENTAL SHEET

I.	<u>1308 Lovell Rd</u>	<u>118HC004</u>	<u>+/- 0.7 ac</u>
	Property Address	Parcel ID	Tract Size
	<u>PC/TO & HP</u>	<u>MU-SD NWC0-4</u>	<u>AgForVac</u>
	Zoning District	Sector Plan Land Use Classification	Existing Land Use
II.	<u>1304 Lovell Rd</u>	<u>118HC00301</u>	<u>+/- 1.66 ac</u>
	Property Address	Parcel ID	Tract Size
	<u>PC/TO & HP</u>	<u>MU-SD NWC0-4</u>	<u>MF</u>
	Zoning District	Sector Plan Land Use Classification	Existing Land Use
III.	<u>1232 Lovell Rd</u>	<u>118HC002</u>	<u>+/- 0.8 ac</u>
	Property Address	Parcel ID	Tract Size
	<u>PC/TO & HP</u>	<u>MU-SD NWC0-4</u>	<u>SFR</u>
	Zoning District	Sector Plan Land Use Classification	Existing Land Use
IV.	<u>0 Lovell Rd</u>	<u>118HC001</u>	<u>+/- 0.6 ac</u>
	Property Address	Parcel ID	Tract Size
	<u>PC/TO & HP</u>	<u>MU-SD NWC0-4</u>	<u>AgForVac</u>
	Zoning District	Sector Plan Land Use Classification	Existing Land Use
V.	<u>0 High Meadow Dr.</u>	<u>118IF00201</u>	<u>+/- 1.21 ac</u>
	Property Address	Parcel ID	Tract Size
	<u>RA/TO, PC/TO & HP</u>	<u>MU-SD NWC0-4</u>	<u>AgForVac</u>
	Zoning District	Sector Plan Land Use Classification	Existing Land Use
VI.	<u>0 Lovell Rd</u>	<u>118 066</u>	<u>+/- 2.8 ac</u>
	Property Address	Parcel ID	Tract Size
	<u>PC/TO & HP</u>	<u>MU-SD NWC0-4</u>	<u>AgForVac</u>
	Zoning District	Sector Plan Land Use Classification	Existing Land Use

THIS INSTRUMENT PREPARED BY:	CLT MAP	GROUP	PARCEL NO
Knox County Law Director	118	HC	001
400 Main Street, Ste. 612	118	HC	002
Knoxville, Tennessee 37902	118	HC	00301
	118	HC	004
	118		066
	118	IF	00201

BEFORE THE KNOX COUNTY BOARD OF ZONING APPEALS

IN RE: Applicant: Ben Mullins	<i>5.33.05 PC Planned Commercial/Periphery</i>
County Commission District 6	Request for Variance
1308 Lovell Road	Parcel ID: 118HC001
1304 Lovell Road	Parcel ID: 118HC002
1232 Lovel Road	Parcel ID: 118HC301
0	Parcel ID: 118HC004
0 Lovell Road	Parcel ID: 118 066
0 High Meadow Drive	Parcel ID: 118 IF 00201
Application Date 10/18/2021	Agenda Date: 10/27/2021
Deed References: 202011030036801	Deed References: 200701290061055
Deed References: 201809210018987	Item 4f.

ORDER

This matter came to be heard in a public hearing on October 27, 2021, before the Knox County Board of Zoning Appeals upon application of the Applicant, Ben Mullins respecting property at 1308 Lovell Road, Knoxville, Tennessee 37932, requesting a variance of Knox County Zoning Ordinance *5.33.05 PC Planned Commercial/Periphery boundary* requirement to require buildings to be set back at least fifty (50) feet from any peripheral boundary of the project, or any public street or road existing prior to the Planned Commercial Zone to thirty-five (35) feet.

Based upon the entire record from all of which the Board finds that:

(1) Proper legal and written notice of the public hearing has been complied with as set forth in the Zoning Ordinance for Knox County, Tennessee as Amended through January 23, 1995 (hereafter "Zoning Ordinance").

(2) A portion of this property was recently rezoned to Planned Commercial, and it remains in the Technology Corridor Overlay.

(3) This was a request for a reduction of the peripheral boundary of the project along Lovell Road from fifty (50) feet to thirty-five (35) feet in the Planned Commercial Zone.

(4) The Board found that applicant carried their burden of demonstrating pursuant T.C.A. § 13-7-109(3), and Knox County Ordinance 6.60.03 and .04, by reason of exceptional narrowness, topography or siting and other exceptional physical conditions of his property, that special circumstances or conditions exist whereby strict application would result in practical difficulty or unnecessary hardship which would deprive the owner of the reasonable use of their land.

This request for a variance covers an assemblage of parcels of vacant land of a proposed and possible commercial development fronting Lovell Road. This request only requests a variance on the front of the property along the frontage of Lovell Road. There are a number of exceptional topographic, siting or other exceptional physical conditions of this property. The property slopes significantly of at least 30 feet from the rear to the front. In addition to the steepness, there are sinkholes on the properties. The rear boundary lines of the properties are in a "sawtooth" pattern with neighboring residential area to the rear. By allowing the commercial development within 35 feet of Lovell Road, it not only allows the commercial buildings to avoid being built in the steep and sinkholes portions of the properties, but it also allows the property owner to maintain as much as possible and as may be required a vegetative buffer zone between this commercial development and the neighboring residential homes to the rear of the property.

There was no opposition.

The aforesaid circumstances or conditions are such that the strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land. This

variance granted of 15 feet from 50 to 35 feet will avoid practical difficulties or unnecessary hardships in carrying out the strict letter of this ordinance. The granting of this variance is in harmony with the general purposes and intent of this ordinance and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development. This slight variance is the minimum variance needed, will not be contrary to the public interest and by approving the variances substantial justice will be done.

It is therefore ORDERED that applicant's request for a variance is approved.

Motion by: Ms. Kerr Second by: Mr. Anderson

Ayes: (8) Ms. Patricia Williams, Mr. Corcoran, Mr. Ashley Williams, Mr. Anderson, Ms. Kerr, Mr. Hardin, Ms. Longmire, & Mr. Dykes

Nays: (0)

Absent: (1) Ms. Rowe

ENTERED THIS 17th DAY OF NOVEMBER, 2021.

KNOX COUNTY BOARD OF ZONING APPEALS



Chairman

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading has been forwarded to counsel for the plaintiff via U.S. mail, postage pre-paid to

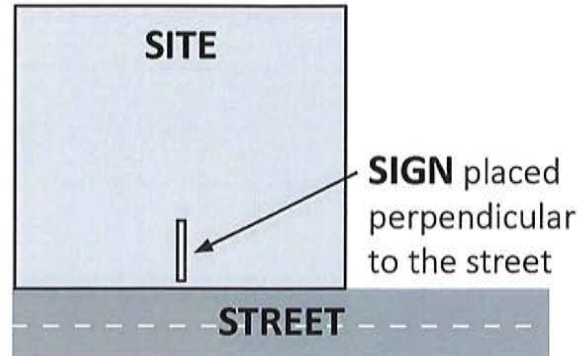
Benjamin C. Mullins
Frantz, McConnell & Seymour, LLP
550 W. Main Street
Knoxville, Tennessee 37902

This 17th day of November, 2021.



J. Myers Morton, Knox County Deputy Law Director

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

12/29/2021 and 1/13/2022
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Ben Mullins

Date: 11/29/2021

File Number: 1-C-22-UR

- Sign posted by Staff
- Sign posted by Applicant